

REMARKS

Reconsideration is respectfully requested in view of Applicants' amendments and remarks therein, and 37 C.F.R. § 1.132 Declarations submitted herewith.

First of all, Applicants appreciate the Examiner noting the two typographical errors involving the term "plane" in claims 1 and 15 as set forth in paragraph 1 of the Office Action. Appropriate correction has been made.

In the remainder of the Office Action, the claims stand rejected under 35 U.S.C. § 102(e) over three references. Since all claims stand or fall together, and that the Examiner focuses upon claim 1 in these rejections, Applicants submit herewith three 37 C.F.R. § 1.132 Declarations, one each by the inventive entity of two of the 35 U.S.C. § 102(e) references and one by a non-common inventor of the third reference, whereby each inventive entity and the non-common inventor disclaims the subject matter of claim 1 in the present application. Therefore, as a result of these Declarations, each of the three 35 U.S.C. § 102(e) references is effectively removed as a reference since any disclosure therein of present claim 1 is not the invention of the inventive entity of the 102(e) reference, but is the invention of the inventive entity set forth in the present application.

More specifically, in paragraph 3 of the Office Action, claims 1-20 are rejected under 35 U.S.C. § 102(e) as being anticipated by Maruyama et al. An appropriate Declaration of a disclaiming type under 37 C.F.R. § 1.132 is submitted by the co-inventors of Maruyama et al.

In paragraph 4 of the Office Action, claims 1-20 are rejected under 35 U.S.C. § 102(e) as being anticipated by Ihama et al.

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With respect to Ihama et al, two co-inventors thereof are inventors in the present application. As set forth by the Declaration by Mr. Ihama, he disclaims as his sole invention the subject matter of claim 1 of the present application and declares any description thereof in his patent in which he is a co-inventor is present because of knowledge obtained from the co-inventors of the present application.

In paragraph 5 of the Office Action, claims 1-20 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kikuchi. A Declaration under 37 C.F.R. § 1.132 of a disclaiming type is set forth herein by Mr. Kikuchi.

In summary, Applicant submit that the Declarations establish that a description of the inventions of the present application claim 1 set forth in the 35 U.S.C. § 102(e) references is not invention of "another" is required by the statute.

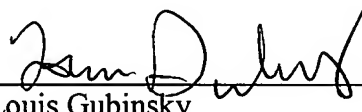
It is believed this application is now in condition for allowance. If any minor points remain prior to a Notice of Allowance, the Examiner is respectfully requested to contact the undersigned at the below listed telephone number.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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Date: February 25, 2004